Item 899 S9.10:9675

TREATIES AND OTHER INTERNATIONAL ACTS SERIES 9675

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SETTLEMENT OF CLAIMS

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Agreement Between the
UNITED STATES OF AMERICA
and the PEOPLE'S REPUBLIC
OF CHINA

Amending the Agreement of
May 11, 1979

Effected by Exchange of Notes
Dated at Beijing September 28, 1979

NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89–497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

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PEOPLE'S REPUBLIC OF CHINA

Settlement of Claims

Agreement amending the agreement of May 11, 1979.
Effected by exchange of notes
Dated at Beijing September 28, 1979;
Entered into force September 28, 1979.

会和美国大使馆表示同意的复照将构成两国政府间的一项协议，它于复照之日起生效，并修正了一九七九年五月十一日在北京签订的中华人民共和国政府和美利坚合众国政府关于解决资产要求的协议。

顺致最崇高的敬意。

一九七九年[illegible]于北京

3

The Chinese Ministry of Foreign Affairs to the American Embassy [1]

中华人民共和国外交部

(79)部美字第959号

美利坚合众国驻华大使馆：

中华人民共和国外交部向美利坚合众国大使馆致意，并谨提及一九七九年五月十一日在北京签订的中华人民共和国政府和美利坚合众国政府关于解决资产要求的协议。中华人民共和国愿特别提及该协议第二条(乙)款，其中规定美国政府同意于一九七九年十月一日对由于中华人民共和国及其国民或在它管辖或控制下的自然人和法人在其中有直接和间接的利益而被美国政府冻结，且在草签之日(一九七九年三月二日)仍被冻结的所有资产，予以解冻。

由于行政性的原因和为了便于执行这一协议，中华人民共和国外交部谨请美国政府把按上述协议第二条(乙)款宣布解冻上述资产的日期从一九七九年十月一日推迟到一九八〇年一月三十一日。该协议的其他一切条款仍按协议的规定执行。

如蒙美国政府同意中华人民共和国的这一建议，此照

[1] For the English language translation, see pp. 4–5.

The American Embassy to the Chinese Ministry of Foreign Affairs

No. 427

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and has the honor to refer to the Note of the Ministry of Foreign Affairs No. 959 of September 28, 1979, the text of which is as follows:

"(79) bu mei zi No. 959

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of the United States of America and has the honor to refer to the Agreement between the Government of the People's Republic of China and the Government of the United States of America concerning the settlement of claims signed at Beijing on May 11, 1979.[1] The People's Republic of China wishes to refer in particular to Article II(B) of the said Agreement, in which the United States Government agrees to unblock, by October 1, 1979, all assets which were blocked because of an interest, direct or indirect, in those assets of the People's Republic of China, its nationals, or natural and juridical persons subject to its jurisdiction or control, and which remained blocked on the date of the initialling of this Agreement, March 2, 1979.

[1] TIAS 9306; 30 UST.

The Ministry of Foreign Affairs of the People's Republic of China has the honor to request, for reasons of administration and facilitation of the implementation of the Agreement, that the United States Government postpone the unblocking of the aforementioned assets pursuant to Article II(B) of the aforementioned Agreement from October 1, 1979, to January 31, 1980. All other provisions of the Agreement shall be executed according to their terms.

If the United States Government concurs in this proposal of the People's Republic of China, this Note and the Embassy's reply indicating acceptance shall constitute an Agreement between the two Governments which will enter into force on the date of the reply and which will amend the Agreement between the Government of the People's Republic of China and the Government of the United States of America concerning the settlement of claims signed at Beijing on May 11, 1979.

The Ministry takes this opportunity to renew to the Embassy the assurances of its highest consideration. "

The United States Government concurs in the proposal of the People's Republic of China and agrees that the Note of the Ministry of Foreign Affairs of the People's Republic of China and this reply shall constitute an Agreement between the two Governments which will enter into force on this date

and which will amend the Agreement between the Government of the United States of America and the Government of the People's Republic of China concerning the settlement of claims signed at Beijing on May 11, 1979.

The Embassy of the United States of America takes this opportunity to renew to the Ministry the assurances of its highest consideration.

J S R

Embassy of the United States of America,
Beijing, September 28, 1979.

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